

**Maine Revised Statutes**  
**Title 35-A: PUBLIC UTILITIES**  
**Chapter 32: ELECTRIC INDUSTRY RESTRUCTURING**

**§3201. DEFINITIONS**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1997, c. 316, §3 (NEW).]

**1. Affiliated interest.** "Affiliated interest" has the same meaning as provided in section 707, subsection 1, paragraph A.

[ 1997, c. 316, §3 (NEW) .]

**2. Aggregate.** "Aggregate" means to organize individual electricity consumers into a group or entity for the purpose of purchasing electricity on a group basis.

[ 1997, c. 316, §3 (NEW) .]

**3. Aggregator.** "Aggregator" means an entity that gathers individual consumers together for the purpose of purchasing electricity.

[ 1999, c. 398, Pt. A, §72 (AMD); 1999, c. 398, Pt. A, §§104, 105 (AFF) .]

**4. Broker.** "Broker" means an entity that acts as an agent or intermediary in the sale and purchase of electricity but that does not take title to electricity.

[ 1997, c. 316, §3 (NEW) .]

**5. Competitive electricity provider.** "Competitive electricity provider" means a marketer, broker, aggregator or any other entity selling electricity to the public at retail, but does not include an electric vehicle charging station provider.

[ 2015, c. 29, §2 (AMD) .]

**6. Consumer-owned transmission and distribution utility.** "Consumer-owned transmission and distribution utility" means any transmission and distribution utility wholly owned by its consumers, including, but not limited to:

A. The transmission and distribution portion of a rural electrification cooperative organized under chapter 37; [1997, c. 316, §3 (NEW).]

B. The transmission and distribution portion of an electrification cooperative organized on a cooperative plan under the laws of the State; [1997, c. 316, §3 (NEW).]

C. A municipal or quasi-municipal transmission and distribution utility; [1997, c. 316, §3 (NEW) .]

D. The transmission and distribution portion of a municipal or quasi-municipal entity providing generation and other services; and [1997, c. 316, §3 (NEW).]

E. A transmission and distribution utility wholly owned by a municipality. [1997, c. 316, §3 (NEW) .]

[ 1997, c. 316, §3 (NEW) .]

**7. Divest.** "Divest" means to legally transfer ownership and control to an entity that is not an affiliated interest.

[ 1997, c. 316, §3 (NEW) .]

**7-A. Efficient combined heat and power system.** "Efficient combined heat and power system" means a system that:

- A. Produces heat and electricity from one fuel input, without restriction to specific fuel or generating technology; [2009, c. 197, §1 (NEW).]
- B. Has an electric generating capacity rating of at least one kilowatt and not more than 30 kilowatts and a fuel system efficiency of not less than 80% in the production of heat and electricity, or has an electric generating capacity of at least 31 kilowatts and a fuel system efficiency of not less than 65% in the production of heat and electricity; [2009, c. 197, §1 (NEW).]
- C. May work in combination with supplemental or parallel conventional heating systems; [2009, c. 197, §1 (NEW).]
- D. Is manufactured, installed and operated in accordance with applicable government and industry standards; and [2009, c. 197, §1 (NEW).]
- E. Is connected to the electric grid and operated in conjunction with the facilities of a transmission and distribution utility. [2009, c. 197, §1 (NEW).]

[ 2009, c. 197, §1 (NEW) .]

**8. Electric billing and metering services.** "Electric billing and metering services" means the following services:

- A. Billing and collection; [1997, c. 316, §3 (NEW).]
- B. Provision of a meter; [1997, c. 316, §3 (NEW).]
- C. Meter maintenance and testing; and [1997, c. 316, §3 (NEW).]
- D. Meter reading. [1997, c. 316, §3 (NEW).]

[ 1997, c. 316, §3 (NEW) .]

**8-A. Eligible small generator.** "Eligible small generator" means a generator that has a generating capacity of 5 megawatts or less and generates electricity using:

- A. A renewable resource, as defined in section 3210, subsection 2, paragraph C; or [2009, c. 197, §2 (NEW).]
- B. An efficient combined heat and power system. [2009, c. 197, §2 (NEW).]

[ 2009, c. 197, §2 (NEW) .]

**8-B. Electric vehicle charging station provider.** "Electric vehicle charging station provider" means a person selling electricity for the sole purpose of transferring electric energy between a charger and the battery or other energy storage device in an electric vehicle.

[ 2015, c. 29, §3 (NEW) .]

**9. Entity.** "Entity" means a person or organization, including but not limited to any political, governmental, quasi-governmental, corporate, business, professional, trade, agricultural, cooperative, for-profit or nonprofit organization.

[ 1997, c. 316, §3 (NEW) .]

**10. Generation assets.** "Generation assets" includes all real estate, fixtures and personal property owned, controlled, operated or managed in connection with, or to facilitate, the generation of electric power.

[ 1997, c. 316, §3 (NEW) .]

**11. Generation service.** "Generation service" means the provision of electric power to a consumer through a transmission and distribution utility but does not encompass any activity related to the transmission or distribution of that power.

[ 1997, c. 316, §3 (NEW) .]

**12. Large, investor-owned transmission and distribution utility.** "Large, investor-owned transmission and distribution utility" means an investor-owned transmission and distribution utility serving more than 50,000 retail customers.

[ 1997, c. 316, §3 (NEW) .]

**13. Marketer.** "Marketer" means an entity that as an intermediary purchases electricity and takes title to electricity for sale to retail consumers.

[ 1999, c. 398, Pt. A, §72 (AMD); 1999, c. 398, Pt. A, §§104, 105 (AFF) .]

**14. Public entity.** "Public entity" includes the State, any political subdivision of the State, a municipality and any quasi-municipal entity.

[ 1997, c. 316, §3 (NEW) .]

**15. Qualifying facility.** "Qualifying facility" has the same meaning as provided in section 3303.

[ 1997, c. 316, §3 (NEW) .]

**16. Small, investor-owned transmission and distribution utility.** "Small, investor-owned transmission and distribution utility" means an investor-owned transmission and distribution utility serving 50,000 or fewer retail customers.

[ 1997, c. 316, §3 (NEW) .]

**17. Retail access.** "Retail access" means the right of a retail consumer of electricity to purchase generation service from a competitive electricity provider.

[ 1997, c. 316, §3 (NEW) .]

**18. Transmission and distribution plant.**

[ 1999, c. 398, Pt. A, §§104, 105 (AFF); 1999, c. 398, Pt. A, §73 (RP) .]

**19. Transmission and distribution utility.**

[ 1999, c. 398, Pt. A, §§104, 105 (AFF); 1999, c. 398, Pt. A, §73 (RP) .]

#### SECTION HISTORY

1997, c. 316, §3 (NEW). 1999, c. 398, §§A72,73 (AMD). 1999, c. 398, §§A104,105 (AFF). 2009, c. 197, §§1, 2 (AMD). 2015, c. 29, §§2, 3 (AMD).

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